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02/28/2005

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TO: Examiner H. Desai

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703 872 9306

FROM: Russell C. Petersen

RE: 20022/38497A

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## FAX TRANSMISSION

DATE: February 28, 2005

PTO IDENTIFIER: Application Number 10/607,705  
Patent Number

Inventor: Spatafora

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: MARSHALL, GERSTEIN & BORUN LLP

Russell C. Petersen

PHONE: (312) 474-6300

Attorney Dkt. #: 20022/38497A

PAGES (Including Cover Sheets): 5

CONTENTS:  Transmittal (1 page)  
 Request to Withdraw Finality (2 pages)

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PTO/SB/07 (09-04)

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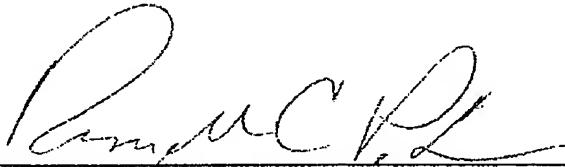
Application No. (if known): 10/607,705

Attorney Docket No.: 2002238497A

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General Transmittal (1 page)  
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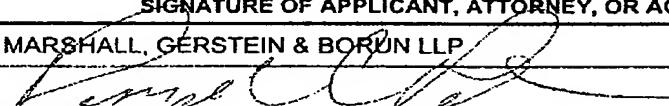
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		Application Number	10/607,705-Conf. #7916
		Filing Date	June 27, 2003
		First Named Inventor	Mario Spatafora
		Art Unit	3721
		Examiner Name	H. Desai
Total Number of Pages In This Submission		Attorney Docket Number	
		20022/38497A	

## ENCLOSURES (Check all that apply)

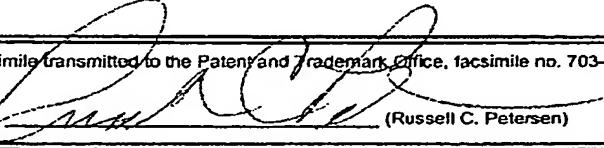
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
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Signature			
Printed name	Russell C. Petersen		
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Docket No.: 20022/38497A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Patent Application of:**  
Mario Spatafora

Application No.: 10/607,705

Confirmation No.: 7916

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Filed: June 27, 2003

Art Unit: 3721

**FEB 28 2005**

For: METHOD OF PRODUCING SOFT PACKETS  
OF CIGARETTES

Examiner: H. Desai

**REQUEST TO WITHDRAW FINALITY OF REJECTION**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated December 28, 2004, finally rejecting claims 26, 28 and 33-39, the applicants request withdrawal of finality of the office action. Please consider the following comments. This response is filed within two months of the final action.

**Remarks/Arguments begin on page 2 of this paper.**